

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SCOTT ROBINSON,

Petitioner,

vs.

BARACK OBAMA, *et al.*,

Respondents.

2:16-cv-01068-JCM-VCF

ORDER

This action brought as a habeas matter comes before the court for initial review.

Petitioner Scott Robinson alleges that his freedom is being compromised due to being a forced human research subject via frequency technology operated through a satellite network pursuant to a federal government program. Petitioner lists a post office box in Antioch, California as his address for correspondence in this matter; the area codes for the telephone numbers listed in his attachments also are in California; and other references in his papers also place him in California. He names as respondents President Barack Obama and Jared Cooney Horvath, who is alleged to be a program employee and administrator. Attachments submitted with the petition assert that the alleged program in question “is being ran by administrators within the Horvath family, of Chester County, Pennsylvania.”¹

Even putting the fanciful nature of the allegations aside, it is clear that this court does not have jurisdiction over the petition. The proper respondent in a federal habeas matter is

¹ECF No. 1, at 13.

1 the petitioner's immediate custodian, not some remote supervisory official such as the
2 president or an alleged program administrator. *See, e.g., Rumsfeld v. Padilla*, 542 U.S. 426,
3 435-36 (2004). Moreover, only the court for the district in which the petitioner is held in
4 custody by a properly-named respondent has jurisdiction over the petition. *Id.* at 442-47.
5 Even if this court were to indulge in a highly dubious assumption that petitioner is in custody
6 for purposes of federal habeas jurisdiction, it is abundantly clear that he is not in custody in
7 this district.

8 The petition therefore will be dismissed for lack of jurisdiction.

9 IT THEREFORE IS ORDERED that the petition is DISMISSED without prejudice for
10 lack of jurisdiction.

11 IT FURTHER IS ORDERED that a certificate of appealability is DENIED. Jurists of
12 reason would not find the district court's dismissal of the petition for lack of jurisdiction to be
13 debatable or wrong. The invocation of federal habeas jurisdiction in this district is wholly
14 frivolous, as is the action itself.

15 The clerk of court shall enter final judgment accordingly, in favor of respondents and
16 against petitioner, dismissing this action without prejudice.

17 DATED: December 1, 2016.

18
19
20 
21 JAMES C. MAHAN
22 United States District Judge
23
24
25
26
27
28